

AMENDMENT TO THE DRAWINGS

Please replace FIGs. 3A-3C and 4A with the attached Replacement Sheets to correct discovered informalities.

REMARKS

By this amendment, claims 1-37 are pending in which no claim is canceled, withdrawn, amended, or newly presented. No new matter is introduced.

The final Office Action mailed May 9, 2006 rejected claims 1-4, 8-11, 15-18, 22-25, 29-32, and 36-37 under 35 U.S.C. § 103(a) as obvious based on *Kitchen et al.* (US 6,289,322 B1) in view of *McNair* (US Patent Pub. 2001/0037297 A1), claims 5, 12, 19, 26, and 33 as obvious under 35 U.S.C. § 103(a) based on *Kitchen et al.* in view of *McNair* and further in view of Michaelas, Nicos, et al., “Pay and Save.” in: *Accountancy*, vol. 123, iss. 1270, pp. 92 (Jun. 1999) (hereinafter *Pay and Save*), claims 6, 13, 20, 27, and 34 as obvious under 35 U.S.C. § 103(a) based on *Kitchen et al.* in view of *McNair* and further in view of *Heather Hayes*, “E-forms Learn New Language,” in: *Federal Computer Week*, vol. 14, iss. 4, pp. 32 (Feb. 2000) (hereinafter *E-forms*), and claims 7, 14, 21, 28, and 35 as obvious under 35 U.S.C. § 103(a) based on *Kitchen et al.*, *McNair*, *E-forms*, and in further view of *Boesch et al.* (U.S. 5,870,473).

In rebuttal to Applicant’s argument that the step of “determining whether the invoice amount is a **zero** balance or a **credit** balance” (as positively recited in independent claims 1, 8, 15, 22 and 29), the Examiner explains, on page 12 of the Office Action, that “*McNair* discloses where a range of payment is allowed for, based on determination of the **account** balance.” Applicant does not necessarily dispute this contention; however, this is not what the claims recite; instead the claims recite a “**zero** balance” or a “**credit** balance.” Effectively, the Examiner has ignored these qualifiers. It is improper to ignore qualifiers in the claim terms such as “zero” and “credit” See *Apple Computer, Inc. v. Articulate Systems, Inc.*, 234 F.3d 14 (Fed. Cir. 2000) (holding that the district court “cannot read the qualifier ‘help’ out the definition of ‘help access window’” of claim 2).

Additionally, the Examiner conveniently reads out of the claims the feature of “based upon the determining step.” At best, *McNair* discloses a positive payment balance and an unrelated use of a conventional error message that is generated in response to a transactional display being improperly filled out. There is no relationship between the payment process as described in paragraph [0055] and the input errors disclosed in paragraph [0056]. Thus, even if the input error can be reasonably interpreted as the claimed disallow payment message and the claim language of “zero balance” and “credit balance” can be ignored, the input error of the *McNair* system is not generated based on the determination of the account balance.

Based on the foregoing, Applicant respectfully requests withdrawal of the obviousness rejection of independent claims 1, 8, 15, 22, and 36.

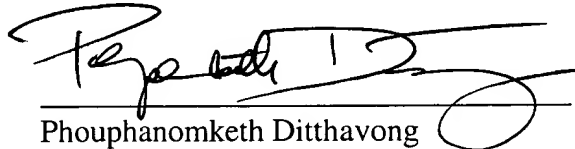
Likewise, the rejections of dependent claims 2-4, 9-11, 16-18, 23-25, 30-32, and 37 should also be withdrawn at least for those reasons proffered above, as well as on their own merits. For example, dependent claims 2, and 30 recite, “wherein the determining step comprises: applying **business rules** in real-time.” Meanwhile, dependent claims 9 and 16 recite, wherein the processor or server “is configured to apply **business rules** in real-time to determine whether the invoice amount is the zero balance or the credit balance.” Dependent claim 23 recites, “wherein the determining means comprises: means for applying **business judgment rules** in real time.” In rejecting these claims, the Examiner summarily concludes “making decisions on user inputs and the responses that should follow as a result, this transaction occurring in real time, does represent a business decision being made in real time” (Office Action, page 14). Applicant respectfully submits that such an interpretation reflects a misunderstanding of what business rules are, as it incorrectly equates the making of a “business” decision with use of a business rule. Applicant further submits that one of ordinary skill in the art cannot reasonably arrive at such an interpretation.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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7/10/06
Date


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